

BILL NO. S-90-11-50

SPECIAL ORDINANCE NO. S- 307-90

AN ORDINANCE amending Section 17-71, 17-72 and 17-74 of Chapter 17 "Motor Vehicles and Traffic" of the Code of the City of Fort Wayne.

WHEREAS, the Common Council of the City of Fort Wayne by and through Special Ordinance No. S-185-85, adopted October 8, 1985, established a method of removal of abandoned vehicles from private property;

WHEREAS, said Ordinance was subsequently codified as Chapter 17 of the Fort Wayne City Code;

WHEREAS, Section 17-71 of said chapter states that the Board of Public Works and Safety shall be responsible for the removal, storage and disposal of abandoned vehicles. This section goes on to state the Board of Public Works and Safety may contract with private towing firms and individuals in such business on an annual basis to provide the equipment, storage area and facilities for the removal and disposal of abandoned vehicles.

WHEREAS, Section 17-72 of said chapter states that the Board of Public Works and Safety shall establish at periodic times and places for the sale or disposal of all such vehicles impounded under this article;

WHEREAS, Section 17-74 of said chapter states that the owner of such abandoned or junk vehicle may in lieu of the above provisions voluntarily provide for the removal and disposal of such vehicle by executing an abandoned vehicle removal waiver with the Board of Public Works and Safety;

WHEREAS, to properly transfer the responsibility for enforcement of this ordinance from the Board of Public Works and Safety to Community and Economic Development it is necessary to delete references to the Board of Public Works and Safety and, in its place, insert Community and Economic Development;

1 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
2 COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

3 SECTION 1. Section 17-71 of Chapter 17 "Motor
4 Vehicles and Traffic" of the Fort Wayne City Code is hereby
5 amended to read as follows:

6 Sec. 17-71. Removal by Community and Economic
7 Development.

8 The Division of Community and Economic Development
9 shall and is hereby designated as the "public
10 agency" which shall be responsible for the
11 removal, storage and disposal of abandoned
12 vehicles, as designated in the "Abandoned Vehicle
13 Act," and in order to facilitate the removal of
14 such abandoned vehicles or parts, the Division of
15 Community and Economic Development may employ such
16 personnel and acquire such equipment, property and
17 facilities as are necessary for the purpose of
18 removal, storage and disposition of such abandoned
19 vehicles, not in conflict with the "Abandoned
20 Vehicle Act," or the Division of Community and
21 Economic Development may contract with private
22 towing firms or individuals in such business on an
23 annual basis to provide the equipment, storage
24 area and facilities for the removal and disposal.

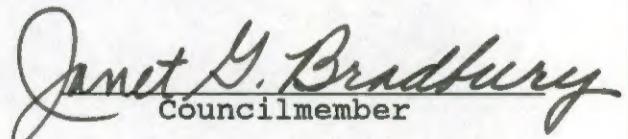
25 Sec. 17-72. Disposal; abandoned vehicle fund.

26 The Division of Community and Economic Development
27 shall establish periodic times and places for the
28 sale or disposal of all such vehicles impounded
29 under this article. Any moneys received shall be
30 placed in the "Abandoned Vehicle Fund" which shall
31 be a revolving fund dedicated to the enforcement
32 of Chapter 17.

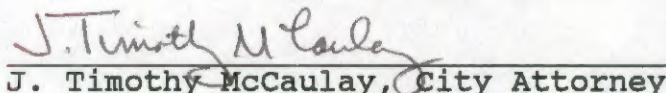
33 Sec. 17-74. Removal by owner; execution of
34 waiver.

35 The owner of such abandoned or junk vehicle may in
36 lieu of the above provisions voluntarily provide
37 for the removal and disposal of such vehicle by
38 executing an abandoned vehicle removal waiver with
39 the Division of Community and Economic
40 Development.

41 SECTION 2. This Ordinance shall be in full force
42 and effect from and after its passage and any and all
43 necessary approval by the Mayor.

44 
45 Janet G. Bradbury
46 Councilmember

47 APPROVED AS TO FORM
48 AND LEGALITY

49 
50 J. Timothy McCaulay, City Attorney



MEMORANDUM

TO: Members of the City Council

FROM: Gary Baeten, Neighborhood Code Enforcement
Administrator *GB/ab*

DATE: November 27, 1990

SUBJECT: Abandoned Vehicle Ordinance Amendment

The attached proposed amendment to the Abandoned Vehicle Ordinance has been submitted to reflect the changes the Abandoned Vehicle Program scheduled to take place on January 1, 1991.

This amendment provides for the transferring the total enforcement responsibility from the Board of Public Works (Right-of-Way Department) to Neighborhood Code Enforcement in the Division of Community & Economic Development. Historically, enforcement activity has been shared between Right-of-Way and Neighborhood Code Enforcement Departments; this amendment will allow for one centralized location of all enforcement efforts.

Should you have any questions regarding this amendment, please contact me at 427-1323.

Read the first time in full and on motion by Bradbury,
seconded by Gia Quinta, and duly adopted, read the second time in
title and referred to the Committee on Regulations (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Conference Room 128, City-County Building,
Fort Wayne, Indiana, on 11-27-90, the 19 day, at o'clock M., E.S.T.
of

DATED: 11-27-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury,
seconded by Gia Quinta, and duly adopted, placed on its
passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
<u>TOTAL VOTES</u>	<u>8</u>			<u>1</u>
<u>BRADBURY</u>	<u>✓</u>			
<u>BURNS</u>	<u>✓</u>			
<u>EDMONDS</u>	<u>✓</u>			
<u>Gia Quinta</u>	<u>✓</u>			
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>REDD</u>	<u>✓</u>			
<u>SCHMIDT</u>				<u>✓</u>
<u>TALARICO</u>	<u>✓</u>			

DATED: 12-11-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. 1307-90
on the 11th day of December, 1990.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

ATTEST

SEAL

Charles S. Reed
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 10th day of December, 1990,
at the hour of 5:00 o'clock M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day of December,
1990, at the hour of 2:15 o'clock M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

Admin. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE SPECIAL ORDINANCE

DEPARTMENT REQUESTING ORDINANCE COMMUNITY AND ECONOMIC DEVELOPMENT

SYNOPSIS OF ORDINANCE AMENDS SECTION 17-71, 17-72 and 17-74 of Chapter 17

"Motor Vehicles and Traffic" of the Code of the City of Fort Wayne.

Transfers the responsibility of abandoned vehicles to Community
and Economic Development.

S-90-11-50

EFFECT OF PASSAGE Responsibility of abandoned vehicles is transferred
to Community and Economic Development.

EFFECT OF NON-PASSAGE Responsibility remains with the Board of Public
Works and Safety.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

BILL NO. S-90-11-50

REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON
DAVID C. LONG, VICE CHAIRMAN
EDMONDS, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) amending Section
17-71, 17-72 and 17-74 of Chapter 17 "Motor Vehicles and
Traffic" of the Code of the City of Fort Wayne.

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (RESOLUTION) X

DO PASS

DO NOT PASS

ABSTAIN

NO REC

JYBraberry
J C Edwards
Jerry J. Johnson
Warren Drey

DATED: 12-11-90

Sandra E. Kennedy
City Clerk